



## Initial Disciplinary Notice

**CONFIDENTIAL**

The purpose of this Initial Disciplinary Notice is to confirm that you have received notice of areas of concern, gaps in your work performance, reiterate the expectations of MAGFest, Inc., and allow you the opportunity to demonstrate improvement and commitment. If the expected outcomes are not achieved and improvements are not attained, then more formal action may be initiated under the relevant procedures, including, but not limited to, a Performance Improvement Plan (PIP).

<b>Employee Name:</b>	Debra Lenik
<b>Job Title:</b>	Events Director
<b>Date of Hire:</b>	May 16, 2017
<b>Manager:</b>	Paul Birtel
<b>Name(s) of other attendee(s)</b>	Bunny Smith General Counsel, Jasmin Stevens Human Resources Manager, Jack Boyd Board President, Eli Courtwright Board Treasurer, Joel Attanasio Board Member

### INITIAL DISCIPLINARY NOTICE OBJECTIVES

This document outlines performance areas in need of improvement in which consistent and sustained performance improvement is to be demonstrated. Progress against the performance goals outlined below is necessary to effectively perform in the position of Events Director. The Executive Director will regularly review your performance progress.

### REASON FOR INITIAL DISCIPLINARY NOTICE

☒ **Performance**

This notification will allow for improvement through acknowledgement of the issues and through the ability to seek guidance and assistance from your supervisor, the Board of Directors (Board), or others. This will involve self-studying and practicing followed by monthly progress reports to demonstrate your grasp on the knowledge, skills, and abilities summarized below.



# **1. Define the nature of the problem(s) and incident(s):**

Debra Lenik, as an Events Director, you have been unable to effectively communicate with and about others. Below is a list of behavior that requires improvement:

- a) Communication with the Board, volunteer community, office employees, contractors and other individuals about decisions from the Board, Executive Director and other leadership has not been collaborative or appropriate. This includes:
  - i) You requested to add [contagioncy@magfest.org](mailto:contagioncy@magfest.org) back to the contract negotiation emails with assertions that it was necessary in the slack channel #hotel\_negotiations with volunteers and a contractor on 7/22/20 in the #contagioncy\_private Slack channel after being informed it would not be added.
  - ii) In a follow-up about the hotel contracts on 7/22/20, you stated that the Board would have to deal with “torches and pitchforks” over the incident. When the Board member asked for clarification about who would do so, Debra replied, “I would be leading that.”
  - iii) In a phone call with the PR Team, you mentioned the Board was unequipped to handle difficult and safe-like issues and that is why you prefer to go through other channels.
  - iv) In collaboration with another employee and without notifying anyone above, a Twitter response was publicly made to blame yourself for mishandling a Safe case. When informed that this was unacceptable, you dismissed it by stating it was the right thing to do and it got us out of trouble. When informed that it may have helped, but it also hurt us and put you at risk, your attitude was still dismissive of wrongdoing.
  - v) During a Safe meeting to discuss the PR issue, you shut off your camera and indicated that you were not willing to participate in the discussion. Safe only needed to review the parts of the situation that the team was not informed of and to inform new members of the process as a whole.
- b) Removing the Board from HR without notifying anyone on the Board of this change.
- c) Negative connotations about the Board to combinations of employees and volunteers in various settings below:
  - i) Negatively referring to the Board during the 10/06/20 Office Fireside Chat when discussing the “MAGFest Philosophy club” and sharing inaccurate details which contradicted the Board. (Statement: “I see this as more than like, the magfest philosophy club, someone who will put pen to paper and help support departments; it's not just this word from on high that like this works or that doesn't work; I want it to have some meaning behind it, and some follow through for lack of a better term.”)



- d) Calling out Board Members in meetings, often in front of other Employees and non-Board volunteers.
  - i) Calling out the President of the Board in a confrontational manner with assumptions during a Contagioncy meeting for being too worried about something as small as a potential \$3 fee for attendees when getting refunds and neglecting the burn rate scenarios.
  - ii) Being confrontational with the Secretary of the Board during a Board Meeting about diversity on the board in the context of a volunteer's candidacy and those people's dismissal of the General Counsel being a Board Member.
  - iii) During a Board meeting, making a demeaning side comment about the President of the Board while thinking your microphone was muted.

**2. Identify where immediate improvement is essential:**

- a) Active listening, effective communication, articulation of expectations and understandings.
- b) Reflection/investigation to avoid cursory assumptions.
- c) Positive communication when discussing the Board and leadership decisions in all work settings and in particular in front of the general staff/attendees
- d) Ability to work collaboratively and appropriately with the Board and Board Subcommittees when necessary and useful.
- e) Address and discuss conflicts with a calm demeanour.
- f) Oral interpersonal communication skills to facilitate and promote group transparency.
- g) Actively address concerns with Board members and about Board decisions with the Board privately and respectfully.
- h) When representing or conveying the thoughts of the Board, Board decisions, Board initiatives or other activities or directives of the Board publicly, ensure that it is in a positive and constructive manner.

**3. What steps are required by the employee to correct the problem(s):**

- a) It is expected that you will:
  - i) Be able to identify non-HR problems privately, when possible, and to remediate them to effectively communicate with the office, the board, and the volunteers to help build rapport.
  - ii) Practice active listening and be mindful of articulation for a more calm conflict management strategy, which facilitates group collaboration and avoids demeaning others, including leadership, and decisions provided from higher in the organization's chart.
  - iii) Build relationships, including those that you might disagree with, and focus on taking the extra time to equip others with the necessary information and skills to contribute to the organization.
  - iv) Be self reflective and aware of how your mannerisms, choice of language, and tone affect others and how much weight they carry as a leader within the organization.



- v) Bring up concerns first in private sessions to attempt to research, investigate, and resolve any misunderstandings, miscommunications, or disagreements with decisions and directions from the Board or other leadership.
- b) Milestone(s) for 30 day check-in: Research and sign up for requested trainings (specified in section 4 below).
- c) Milestone(s) for 60 day check-in: Completion of requested trainings and active practice of training knowledge.

**4. What kind of training would be helpful to develop and/or improve employee's job knowledge:**

- a) Delegation/Communication Training (to master asking for help and support when needed)
- b) Stress Management Training (to maintain and improve professionalism)
- c) Assertiveness Training (to exhibit calm self-expression and clarity)
- d) Active Listening Training (to understand issues and formulate better solutions)
- e) Additionally, please identify any additional training resources you feel will help you solve the problem.

**5. Other Comments:**

The difficulties you experienced with effectively communicating with your team must not impact the completion and advancement of MAGFest, Inc. directives and core values. You must maintain productivity standards regarding work performed.

**Outcomes and Consequences:**

You must demonstrate and sustain improved performance. If you fail to meet the standards of performance as outlined in this memo or display other deficiencies in performance, then you may be subject to further counselling or a Performance Improvement Plan.

A copy of this document will be placed in your personnel file.

**Employee Acknowledgement**

**This performance correction notice does not constitute an employment contract, and I acknowledge this notice does not affect or alter my employment at-will relationship with MAGFest, Inc.**

**EMPLOYEE COMMENTS**



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<b>PROGRESS MONITORING SCHEDULE</b>
The following will be adjusted with the furlough schedule. 30 day check-in 60 day check-in

<b>SIGNATURES</b>	
By signing this Initial Disciplinary Notice, I am acknowledging that the content in this document has been reviewed and provided to me verbally. I understand that if I disagree I may prepare a written response.	
_____ Employee Signature	_____ Date
_____ Manager Signature	_____ Date
_____ President of the Board Signature	_____ Date
_____ Human Resources Manager Signature	_____ Date

<b>COPY DISTRIBUTION</b>
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- ☒ Employee
- ☒ Employee File